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STATE DELEGATE AND COUNTY COUNCIL CANDIDATE CHARGED WITH PERSONAL USE OF CAMPAIGN FUNDS

State Prosecutor Emmet C. Davitt announced today that criminal charges have been filed in the Circuit Court for Anne Arundel County against Prince George's County Delegate Tiffany Alston and Prince George's County Council Candidate Darrell A. Miller.

Delegate Alston, age 31, was charged with one count of felony theft, one count of misdemeanor theft, one count of fraudulent misappropriation by a fiduciary and two election law violations. The charges allege that Ms. Alston made disbursements from the campaign account for personal use including a \$1,250.00 cash withdrawal in December of 2010; payments of \$660.00 to an employee of Alston's law firm to pay her law firm salary in September of 2010; and the issuance of two campaign account checks totaling \$3,560.00 to cover her wedding expenses in December of 2010. The latter two checks were returned to the bank due to insufficient funds. The charges further allege that Ms. Alston was responsible for all disbursements of funds from the campaign account between April and December of 2010. A campaign chairman who is also a candidate is prohibited from disbursing funds from a campaign account.

Darrell Miller, age 47, is charged with one count of felony theft, one count of fraudulent misappropriation by a fiduciary and three election law violations. Those charges allege that between June and December of 2010, Miller made improper disbursements from the account of Friends of Darrell A. Miller campaign, including disbursements using an account debit card. The indictment further alleges that \$1,000.00 or more of those disbursements were made to pay for personal expenses of Darrell A. Miller rather than for campaign purposes.

The maximum penalties for these offenses are as follows:

Felony Theft, 10 years incarceration and/or a fine of up to \$ 10,000.00 and restitution;

Misdemeanor Theft, 18 months incarceration and/or a fine of up to \$500.00 and restitution;

Misappropriation by a Fiduciary, imprisonment not exceeding five years;

Election Law Offenses (each), 1 year incarceration and/or a fine up to \$25,000.00.

State Prosecutor Emmet C. Davitt stated:

“Information on the requirements of the campaign finance laws and guidance in complying with those requirements is readily available to candidates in the Annotated Code; in the regulations published by the State Board of Elections; and in the Summary Guide published on the State Board of Elections web page. Staff members at the State Board are always willing to answer questions regarding the requirements in specific situations.

Under these circumstances, there is simply no excuse for candidates or their responsible campaign finance officers to flagrantly and repeatedly violate the requirements of the law in the conduct of their campaign finances. No candidate or committee can possibly be unaware that campaign funds may not be converted to the personal use of an officer or candidate; may only be disbursed in specified ways for certain purposes; and that expenditures must be supported by documentation.

We will, therefore, continue to vigorously investigate and, when warranted, prosecute, the candidates, officers and committees who flout these laws”.

Although charged, each Defendant is presumed innocent unless and until there is a conviction.